

REMARKS

This Amendment and Response is believed to be responsive to the Final Office Action mailed on February 25, 2005. In that action claims 1-11, 13, 14, 17 and 18 were rejected under 35 U.S.C. 102(e) as being anticipated by Leeke et al. (USPN 6587127); claims 12 and 19 were rejected under 35 U.S.C. 103(a) as being unpatentable over Leeke in view of Martino (USPN 5987103); claim 16 was rejected under 35 U.S.C. 103(a) as being unpatentable over Leeke in view of Ten Kate et al. (USPN 6601237). Applicant believes that, as amended, all pending claims are in allowable form and reconsideration of the above rejections is requested.

Independent claim 1 has been amended to include the limitation of the system being configured for searching a data network for multimedia files. New independent claim 20 also includes such a limitation, and is believed to be patentable at least for this reason. Independent claim 10 has been amended to include the limitation of searching a website for multimedia files. Dependent claims 2 and 4-9 have been amended to comport with their respective claims on which they depend. New claim 21 has been added and is dependent on claim 20.

Leeke discloses a system for presenting a selection interface to select media files from a group of content providers, playing audio selections and receiving feedback for said audio selections.

Regarding claim 1, Leeke fails to disclose a system configured to search a data network for multimedia files. Rather, Leeke discloses presenting an interface to select a media file and provide feedback for the media file. Leeke discloses in several places the utility of receiving feedback and the systems involved in receiving such feedback. Further, Leeke discloses a means to present advertising for the content owners. Leeke thereby teaches a system distinct from a

system configured to search a data network for multimedia files because feedback for such files implies a business relationship between Leeke's system and the content owners and advertising for such files further requires such a relationship. In Applicant's invention, multimedia files may be searched for and retrieved without the cooperation of the content provider.

Regarding claim 10, Leeke fails to disclose a method of searching a website for multimedia files. Rather, Leeke teaches providing content through relationships with content providers and linking to websites for further information. Leeke also discloses in several places the utility of receiving feedback and the systems involved in receiving such feedback as well as a means to present advertising for the content owners. Therefore, Leeke teaches a system that is coordinated with multimedia websites. Further, Leeke discloses in several places the utility of receiving feedback and the systems involved in receiving such feedback and discloses a means to present advertising for the content owners. Leeke's teachings are therefore distinct from a method of searching a website for multimedia files because feedback for such files implies a business relationship between Leeke's system and the content owners and advertising for such files further requires such a relationship. Leeke thereby fails to teach a method of providing a central processor for searching a multimedia website for a multimedia file much less a schedule of the availability of said multimedia file, categorizing said multimedia file, and creating a listing containing information relating to said multimedia file.

For the reasons above, Applicant submits that the above independent claims are allowable over the art. Regarding the remaining pending claims, Applicant submits that because they depend on the above independent claims they are also allowable over the art.

Based upon the foregoing, Applicants believe that all pending claims are in condition for allowance and such disposition is respectfully requested. In the event that a telephone

conversation would further prosecution and/or expedite allowance, the Examiner is invited to contact the undersigned.

Respectfully submitted,

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